

By: Turner of Collin

H.B. No. 1651

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the authority of a person who is licensed to carry a
3 handgun to openly carry a secured handgun; creating a criminal
4 offense; providing penalties.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

6 SECTION 1. Section 11.041(a), Alcoholic Beverage Code, is
7 amended to read as follows:

8 (a) Each holder of a permit who is not otherwise required to
9 display a sign under Section 411.204, Government Code, shall
10 display in a prominent place on the permit holder's premises a sign
11 giving notice that it is unlawful for a person to carry a weapon on
12 the premises unless the weapon is a concealed or unconcealed
13 handgun the person is licensed to carry under Subchapter H, Chapter
14 411, Government Code.

15 SECTION 2. Section 11.61(e), Alcoholic Beverage Code, is
16 amended to read as follows:

17 (e) Except as provided by Subsection (f) or (i), the
18 commission or administrator shall cancel an original or renewal
19 permit if it is found, after notice and hearing, that the permittee
20 knowingly allowed a person to possess a firearm in a building on the
21 licensed premises. This subsection does not apply to a person:

22 (1) who holds a security officer commission issued
23 under Chapter 1702, Occupations Code, if:

24 (A) the person is engaged in the performance of

1 the person's duties as a security officer;

2 (B) the person is wearing a distinctive uniform;

3 and

4 (C) the weapon is in plain view;

5 (2) who is a peace officer;

6 (3) who is a permittee or an employee of a permittee if
7 the person is supervising the operation of the premises; or

8 (4) who possesses a [~~concealed~~] handgun the person is
9 licensed to carry under Subchapter H, Chapter 411, Government Code,
10 regardless of whether the handgun is carried in a concealed or
11 unconcealed manner, unless the person is on the premises of a
12 business described by Section 46.035(b)(1), Penal Code.

13 SECTION 3. Section 61.11(a), Alcoholic Beverage Code, is
14 amended to read as follows:

15 (a) Each holder of a license who is not otherwise required
16 to display a sign under Section 411.204, Government Code, shall
17 display in a prominent place on the license holder's premises a sign
18 giving notice that it is unlawful for a person to carry a weapon on
19 the premises unless the weapon is a concealed or unconcealed
20 handgun the person is licensed to carry under Subchapter H, Chapter
21 411, Government Code.

22 SECTION 4. Section 61.71(f), Alcoholic Beverage Code, is
23 amended to read as follows:

24 (f) Except as provided by Subsection (g) or (j), the
25 commission or administrator shall cancel an original or renewal
26 dealer's on-premises or off-premises license if it is found, after
27 notice and hearing, that the licensee knowingly allowed a person to

1 possess a firearm in a building on the licensed premises. This
2 subsection does not apply to a person:

3 (1) who holds a security officer commission issued
4 under Chapter 1702, Occupations Code, if:

5 (A) the person is engaged in the performance of
6 the person's duties as a security officer;

7 (B) the person is wearing a distinctive uniform;
8 and

9 (C) the weapon is in plain view;

10 (2) who is a peace officer;

11 (3) who is a licensee or an employee of a licensee if
12 the person is supervising the operation of the premises; or

13 (4) who possesses a [~~concealed~~] handgun the person is
14 licensed to carry under Subchapter H, Chapter 411, Government Code,
15 regardless of whether the handgun is carried in a concealed or
16 unconcealed manner, unless the person is on the premises of a
17 business described by Section 46.035(b)(1), Penal Code.

18 SECTION 5. Article 7A.05(c), Code of Criminal Procedure, is
19 amended to read as follows:

20 (c) In a protective order, the court may suspend a license
21 to carry a concealed or unconcealed handgun issued under Section
22 411.177, Government Code, that is held by the alleged offender.

23 SECTION 6. Article 17.292(1), Code of Criminal Procedure,
24 is amended to read as follows:

25 (1) In the order for emergency protection, the magistrate
26 shall suspend a license to carry a concealed or unconcealed handgun
27 issued under Subchapter H, Chapter 411, Government Code, that is

1 held by the defendant.

2 SECTION 7. Article 17.293, Code of Criminal Procedure, is
3 amended to read as follows:

4 Art. 17.293. DELIVERY OF ORDER FOR EMERGENCY PROTECTION TO
5 OTHER PERSONS. The magistrate or the clerk of the magistrate's
6 court issuing an order for emergency protection under Article
7 17.292 that suspends a license to carry a concealed or unconcealed
8 handgun shall immediately send a copy of the order to the
9 appropriate division of the Department of Public Safety at its
10 Austin headquarters. On receipt of the order suspending the
11 license, the department shall:

12 (1) record the suspension of the license in the
13 records of the department;

14 (2) report the suspension to local law enforcement
15 agencies, as appropriate; and

16 (3) demand surrender of the suspended license from the
17 license holder.

18 SECTION 8. Sections 37.0811(d) and (f), Education Code, are
19 amended to read as follows:

20 (d) Any written regulations adopted for purposes of
21 Subsection (c) must provide that a school marshal may carry a
22 concealed or unconcealed handgun as described by Subsection (c),
23 except that if the primary duty of the school marshal involves
24 regular, direct contact with students, the marshal may not carry a
25 concealed or unconcealed handgun but may possess a handgun on the
26 physical premises of a school in a locked and secured safe within
27 the marshal's immediate reach when conducting the marshal's primary

1 duty. The written regulations must also require that a handgun
2 carried by or within access of a school marshal may be loaded only
3 with frangible ammunition designed to disintegrate on impact for
4 maximum safety and minimal danger to others.

5 (f) A school district or charter school employee's status as
6 a school marshal becomes inactive on:

7 (1) expiration of the employee's school marshal
8 license under Section [1701.260](#), Occupations Code;

9 (2) suspension or revocation of the employee's license
10 to carry a concealed or unconcealed handgun issued under Subchapter
11 H, Chapter 411, Government Code;

12 (3) termination of the employee's employment with the
13 district or charter school; or

14 (4) notice from the board of trustees of the district
15 or the governing body of the charter school that the employee's
16 services as school marshal are no longer required.

17 SECTION 9. Section [63.0101](#), Election Code, is amended to
18 read as follows:

19 Sec. 63.0101. DOCUMENTATION OF PROOF OF
20 IDENTIFICATION. The following documentation is an acceptable form
21 of photo identification under this chapter:

22 (1) a driver's license, election identification
23 certificate, or personal identification card issued to the person
24 by the Department of Public Safety that has not expired or that
25 expired no earlier than 60 days before the date of presentation;

26 (2) a United States military identification card that
27 contains the person's photograph that has not expired or that

1 expired no earlier than 60 days before the date of presentation;

2 (3) a United States citizenship certificate issued to
3 the person that contains the person's photograph;

4 (4) a United States passport issued to the person that
5 has not expired or that expired no earlier than 60 days before the
6 date of presentation; or

7 (5) a license to carry a concealed or unconcealed
8 handgun issued to the person by the Department of Public Safety that
9 has not expired or that expired no earlier than 60 days before the
10 date of presentation.

11 SECTION 10. Section 2.005(b), Family Code, is amended to
12 read as follows:

13 (b) The proof must be established by:

14 (1) a driver's license or identification card issued
15 by this state, another state, or a Canadian province that is current
16 or has expired not more than two years preceding the date the
17 identification is submitted to the county clerk in connection with
18 an application for a license;

19 (2) a United States passport;

20 (3) a current passport issued by a foreign country or a
21 consular document issued by a state or national government;

22 (4) an unexpired Certificate of United States
23 Citizenship, Certificate of Naturalization, United States Citizen
24 Identification Card, Permanent Resident Card, Temporary Resident
25 Card, Employment Authorization Card, or other document issued by
26 the federal Department of Homeland Security or the United States
27 Department of State including an identification photograph;

1 (5) an unexpired military identification card for
2 active duty, reserve, or retired personnel with an identification
3 photograph;

4 (6) an original or certified copy of a birth
5 certificate issued by a bureau of vital statistics for a state or a
6 foreign government;

7 (7) an original or certified copy of a Consular Report
8 of Birth Abroad or Certificate of Birth Abroad issued by the United
9 States Department of State;

10 (8) an original or certified copy of a court order
11 relating to the applicant's name change or sex change;

12 (9) school records from a secondary school or
13 institution of higher education;

14 (10) an insurance policy continuously valid for the
15 two years preceding the date of the application for a license;

16 (11) a motor vehicle certificate of title;

17 (12) military records, including documentation of
18 release or discharge from active duty or a draft record;

19 (13) an unexpired military dependent identification
20 card;

21 (14) an original or certified copy of the applicant's
22 marriage license or divorce decree;

23 (15) a voter registration certificate;

24 (16) a pilot's license issued by the Federal Aviation
25 Administration or another authorized agency of the United States;

26 (17) a license to carry a concealed or unconcealed
27 handgun under Subchapter H, Chapter 411, Government Code;

1 (18) a temporary driving permit or a temporary
2 identification card issued by the Department of Public Safety; or

3 (19) an offender identification card issued by the
4 Texas Department of Criminal Justice.

5 SECTION 11. Section 58.003(m), Family Code, is amended to
6 read as follows:

7 (m) On request of the Department of Public Safety, a
8 juvenile court shall reopen and allow the department to inspect the
9 files and records of the juvenile court relating to an applicant for
10 a license to carry a concealed or unconcealed handgun under
11 Subchapter H, Chapter 411, Government Code.

12 SECTION 12. Section 85.022(d), Family Code, is amended to
13 read as follows:

14 (d) In a protective order, the court shall suspend a license
15 to carry a concealed or unconcealed handgun issued under Subchapter
16 H, Chapter 411, Government Code, that is held by a person found to
17 have committed family violence.

18 SECTION 13. Section 85.042(e), Family Code, is amended to
19 read as follows:

20 (e) The clerk of the court issuing an original or modified
21 protective order under Section 85.022 that suspends a license to
22 carry a concealed or unconcealed handgun shall send a copy of the
23 order to the appropriate division of the Department of Public
24 Safety at its Austin headquarters. On receipt of the order
25 suspending the license, the department shall:

26 (1) record the suspension of the license in the
27 records of the department;

1 (2) report the suspension to local law enforcement
2 agencies, as appropriate; and

3 (3) demand surrender of the suspended license from the
4 license holder.

5 SECTION 14. The heading to Section [411.047](#), Government
6 Code, is amended to read as follows:

7 Sec. 411.047. REPORTING RELATED TO CERTAIN [~~CONCEALED~~]
8 HANDGUN INCIDENTS INVOLVING LICENSE HOLDERS.

9 SECTION 15. Section [411.0625](#), Government Code, is amended
10 to read as follows:

11 Sec. 411.0625. PASS FOR EXPEDITED ACCESS TO CAPITOL. (a)
12 The department shall allow a person to enter the Capitol and the
13 Capitol Extension, including any public space in the Capitol or
14 Capitol Extension, in the same manner as the department allows
15 entry to a person who presents a [~~concealed handgun~~] license to
16 carry a concealed or unconcealed handgun under Subchapter H if the
17 person:

18 (1) obtains from the department a Capitol access pass;
19 and

20 (2) presents the pass to the appropriate law
21 enforcement official when entering the building or a space within
22 the building.

23 (b) To be eligible for a Capitol access pass, a person must
24 meet the eligibility requirements applicable to a license to carry
25 a concealed or unconcealed handgun under Subchapter H, other than
26 requirements regarding evidence of handgun proficiency.

27 (c) The department shall adopt rules to establish a

1 procedure by which a resident of the state may apply for and be
2 issued a Capitol access pass. Rules adopted under this section
3 must include provisions for eligibility, application, approval,
4 issuance, and renewal that:

5 (1) require the department to conduct the same
6 background check on an applicant for a Capitol access pass that is
7 conducted on an applicant for a [~~concealed handgun~~] license to
8 carry a concealed or unconcealed handgun under Subchapter H;

9 (2) enable the department to conduct the background
10 check described by Subdivision (1); and

11 (3) establish application and renewal fees in amounts
12 sufficient to cover the cost of administering this section, not to
13 exceed the amounts of similar fees required under Section 411.174
14 for a [~~concealed handgun~~] license to carry a concealed or
15 unconcealed handgun under Subchapter H [~~Section 411.174~~].

16 SECTION 16. The heading to Subchapter H, Chapter 411,
17 Government Code, is amended to read as follows:

18 SUBCHAPTER H. LICENSE TO CARRY A CONCEALED

19 OR UNCONCEALED HANDGUN

20 SECTION 17. Section 411.171, Government Code, is amended by
21 adding Subdivision (8) to read as follows:

22 (8) "Unconcealed handgun" means a loaded or unloaded
23 handgun that is:

24 (A) carried on or about the person:

25 (i) in a holster; or

26 (ii) with another device intended to secure

27 the handgun; and

1 (B) wholly or partially visible.

2 SECTION 18. Sections 411.172(a), (b-1), (g), and (h),
3 Government Code, are amended to read as follows:

4 (a) A person is eligible for a license to carry a concealed
5 or unconcealed handgun if the person:

6 (1) is a legal resident of this state for the six-month
7 period preceding the date of application under this subchapter or
8 is otherwise eligible for a license under Section 411.173(a);

9 (2) is at least 21 years of age;

10 (3) has not been convicted of a felony;

11 (4) is not charged with the commission of a Class A or
12 Class B misdemeanor or equivalent offense, or of an offense under
13 Section 42.01, Penal Code, or equivalent offense, or of a felony
14 under an information or indictment;

15 (5) is not a fugitive from justice for a felony or a
16 Class A or Class B misdemeanor or equivalent offense;

17 (6) is not a chemically dependent person;

18 (7) is not incapable of exercising sound judgment with
19 respect to the proper use and storage of a handgun;

20 (8) has not, in the five years preceding the date of
21 application, been convicted of a Class A or Class B misdemeanor or
22 equivalent offense or of an offense under Section 42.01, Penal
23 Code, or equivalent offense;

24 (9) is fully qualified under applicable federal and
25 state law to purchase a handgun;

26 (10) has not been finally determined to be delinquent
27 in making a child support payment administered or collected by the

1 attorney general;

2 (11) has not been finally determined to be delinquent
3 in the payment of a tax or other money collected by the comptroller,
4 the tax collector of a political subdivision of the state, or any
5 agency or subdivision of the state;

6 (12) is not currently restricted under a court
7 protective order or subject to a restraining order affecting the
8 spousal relationship, other than a restraining order solely
9 affecting property interests;

10 (13) has not, in the 10 years preceding the date of
11 application, been adjudicated as having engaged in delinquent
12 conduct violating a penal law of the grade of felony; and

13 (14) has not made any material misrepresentation, or
14 failed to disclose any material fact, in an application submitted
15 pursuant to Section [411.174](#).

16 (b-1) An offense is not considered a felony for purposes of
17 Subsection (b) if, at the time of a person's application for a
18 license to carry a concealed or unconcealed handgun, the offense:

19 (1) is not designated by a law of this state as a
20 felony; and

21 (2) does not contain all the elements of any offense
22 designated by a law of this state as a felony.

23 (g) Notwithstanding Subsection (a)(2), a person who is at
24 least 18 years of age but not yet 21 years of age is eligible for a
25 license to carry a concealed or unconcealed handgun if the person:

26 (1) is a member or veteran of the United States armed
27 forces, including a member or veteran of the reserves or national

1 guard;

2 (2) was discharged under honorable conditions, if
3 discharged from the United States armed forces, reserves, or
4 national guard; and

5 (3) meets the other eligibility requirements of
6 Subsection (a) except for the minimum age required by federal law to
7 purchase a handgun.

8 (h) The issuance of a license to carry a concealed or
9 unconcealed handgun to a person eligible under Subsection (g) does
10 not affect the person's ability to purchase a handgun or ammunition
11 under federal law.

12 SECTION 19. Section [411.173](#)(b), Government Code, is amended
13 to read as follows:

14 (b) The governor shall negotiate an agreement with any other
15 state that provides for the issuance of a license to carry a
16 concealed or unconcealed handgun under which a license issued by
17 the other state is recognized in this state or shall issue a
18 proclamation that a license issued by the other state is recognized
19 in this state if the attorney general of the State of Texas
20 determines that a background check of each applicant for a license
21 issued by that state is initiated by state or local authorities or
22 an agent of the state or local authorities before the license is
23 issued. For purposes of this subsection, "background check" means
24 a search of the National Crime Information Center database and the
25 Interstate Identification Index maintained by the Federal Bureau of
26 Investigation.

27 SECTION 20. Section [411.174](#)(a), Government Code, is amended

1 to read as follows:

2 (a) An applicant for a license to carry a concealed or
3 unconcealed handgun must submit to the director's designee
4 described by Section 411.176:

5 (1) a completed application on a form provided by the
6 department that requires only the information listed in Subsection
7 (b);

8 (2) one or more photographs of the applicant that meet
9 the requirements of the department;

10 (3) a certified copy of the applicant's birth
11 certificate or certified proof of age;

12 (4) proof of residency in this state;

13 (5) two complete sets of legible and classifiable
14 fingerprints of the applicant taken by a person appropriately
15 trained in recording fingerprints who is employed by a law
16 enforcement agency or by a private entity designated by a law
17 enforcement agency as an entity qualified to take fingerprints of
18 an applicant for a license under this subchapter;

19 (6) a nonrefundable application and license fee of
20 \$140 paid to the department;

21 (7) evidence of handgun proficiency, in the form and
22 manner required by the department;

23 (8) an affidavit signed by the applicant stating that
24 the applicant:

25 (A) has read and understands each provision of
26 this subchapter that creates an offense under the laws of this state
27 and each provision of the laws of this state related to use of

1 deadly force; and

2 (B) fulfills all the eligibility requirements
3 listed under Section 411.172; and

4 (9) a form executed by the applicant that authorizes
5 the director to make an inquiry into any noncriminal history
6 records that are necessary to determine the applicant's eligibility
7 for a license under Section 411.172(a).

8 SECTION 21. Section 411.177(a), Government Code, is amended
9 to read as follows:

10 (a) The department shall issue a license to carry a
11 concealed or unconcealed handgun to an applicant if the applicant
12 meets all the eligibility requirements and submits all the
13 application materials. The department shall administer the
14 licensing procedures in good faith so that any applicant who meets
15 all the eligibility requirements and submits all the application
16 materials shall receive a license. The department may not deny an
17 application on the basis of a capricious or arbitrary decision by
18 the department.

19 SECTION 22. Section 411.185(c), Government Code, is amended
20 to read as follows:

21 (c) The director by rule shall adopt an informational form
22 that describes state law regarding the use of deadly force and the
23 places where it is unlawful for the holder of a license issued under
24 this subchapter to carry a concealed or unconcealed handgun. An
25 applicant for a renewed license must sign and return the
26 informational form to the department by mail or acknowledge the
27 form electronically on the Internet according to the procedure

1 adopted under Subsection (f).

2 SECTION 23. Section 411.188(g), Government Code, is amended
3 to read as follows:

4 (g) A person who wishes to obtain a license to carry a
5 concealed or unconcealed handgun must apply in person to a
6 qualified handgun instructor to take the appropriate course in
7 handgun proficiency and demonstrate handgun proficiency as
8 required by the department.

9 SECTION 24. Sections 411.190(c) and (f), Government Code,
10 are amended to read as follows:

11 (c) In the manner applicable to a person who applies for a
12 license to carry a concealed or unconcealed handgun, the department
13 shall conduct a background check of a person who applies for
14 certification as a qualified handgun instructor. If the background
15 check indicates that the applicant for certification would not
16 qualify to receive a handgun license, the department may not
17 certify the applicant as a qualified handgun instructor. If the
18 background check indicates that the applicant for certification
19 would qualify to receive a handgun license, the department shall
20 provide handgun instructor training to the applicant. The
21 applicant shall pay a fee of \$100 to the department for the
22 training. The applicant must take and successfully complete the
23 training offered by the department and pay the training fee before
24 the department may certify the applicant as a qualified handgun
25 instructor. The department shall issue a license to carry a
26 concealed or unconcealed handgun under the authority of this
27 subchapter to any person who is certified as a qualified handgun

1 instructor and who pays to the department a fee of \$100 in addition
2 to the training fee. The department by rule may prorate or waive
3 the training fee for an employee of another governmental entity.

4 (f) If the department determines that a reason exists to
5 revoke, suspend, or deny a license to carry a concealed or
6 unconcealed handgun with respect to a person who is a qualified
7 handgun instructor or an applicant for certification as a qualified
8 handgun instructor, the department shall take that action against
9 the person's:

10 (1) license to carry a concealed or unconcealed
11 handgun if the person is an applicant for or the holder of a license
12 issued under this subchapter; and

13 (2) certification as a qualified handgun instructor.

14 SECTION 25. Section 411.1901(c), Government Code, is
15 amended to read as follows:

16 (c) A qualified handgun instructor certified in school
17 safety under this section may provide school safety training,
18 including instruction in the subjects listed under Subsection (a),
19 to employees of a school district or an open-enrollment charter
20 school who hold a license to carry a concealed or unconcealed
21 handgun issued under this subchapter.

22 SECTION 26. Section 411.198(a), Government Code, is amended
23 to read as follows:

24 (a) On written approval of the director, the department may
25 issue to a law enforcement officer an alias license to carry a
26 concealed or unconcealed handgun to be used in supervised
27 activities involving criminal investigations.

1 SECTION 27. Sections 411.201(c), (d), (e), and (h),
2 Government Code, are amended to read as follows:

3 (c) An active judicial officer is eligible for a license to
4 carry a concealed or unconcealed handgun under the authority of
5 this subchapter. A retired judicial officer is eligible for a
6 license to carry a concealed or unconcealed handgun under the
7 authority of this subchapter if the officer:

8 (1) has not been convicted of a felony;

9 (2) has not, in the five years preceding the date of
10 application, been convicted of a Class A or Class B misdemeanor or
11 equivalent offense;

12 (3) is not charged with the commission of a Class A or
13 Class B misdemeanor or equivalent offense or of a felony under an
14 information or indictment;

15 (4) is not a chemically dependent person; and

16 (5) is not a person of unsound mind.

17 (d) An applicant for a license who is an active or retired
18 judicial officer must submit to the department:

19 (1) a completed application, including all required
20 affidavits, on a form prescribed by the department;

21 (2) one or more photographs of the applicant that meet
22 the requirements of the department;

23 (3) two complete sets of legible and classifiable
24 fingerprints of the applicant, including one set taken by a person
25 employed by a law enforcement agency who is appropriately trained
26 in recording fingerprints;

27 (4) evidence of handgun proficiency, in the form and

1 manner required by the department for an applicant under this
2 section;

3 (5) a nonrefundable application and license fee set by
4 the department in an amount reasonably designed to cover the
5 administrative costs associated with issuance of a license to carry
6 a concealed or unconcealed handgun under this subchapter; and

7 (6) if the applicant is a retired judicial officer, a
8 form executed by the applicant that authorizes the department to
9 make an inquiry into any noncriminal history records that are
10 necessary to determine the applicant's eligibility for a license
11 under this subchapter.

12 (e) On receipt of all the application materials required by
13 this section, the department shall:

14 (1) if the applicant is an active judicial officer,
15 issue a license to carry a concealed or unconcealed handgun under
16 the authority of this subchapter; or

17 (2) if the applicant is a retired judicial officer,
18 conduct an appropriate background investigation to determine the
19 applicant's eligibility for the license and, if the applicant is
20 eligible, issue a license to carry a concealed or unconcealed
21 handgun under the authority of this subchapter.

22 (h) The department shall issue a license to carry a
23 concealed or unconcealed handgun under the authority of this
24 subchapter to an elected attorney representing the state in the
25 prosecution of felony cases who meets the requirements of this
26 section for an active judicial officer. The department shall waive
27 any fee required for the issuance of an original, duplicate, or

1 renewed license under this subchapter for an applicant who is an
2 attorney elected or employed to represent the state in the
3 prosecution of felony cases.

4 SECTION 28. Section 411.203, Government Code, is amended to
5 read as follows:

6 Sec. 411.203. RIGHTS OF EMPLOYERS. This subchapter does
7 not prevent or otherwise limit the right of a public or private
8 employer to prohibit persons who are licensed under this subchapter
9 from carrying a concealed handgun or an unconcealed handgun on the
10 premises of the business. In this section, "premises" has the
11 meaning assigned by Section 46.035(f)(3), Penal Code.

12 SECTION 29. Section 411.2032(b), Government Code, is
13 amended to read as follows:

14 (b) An institution of higher education or private or
15 independent institution of higher education in this state may not
16 adopt or enforce any rule, regulation, or other provision or take
17 any other action, including posting notice under Section 30.06 or
18 30.07, Penal Code, prohibiting or placing restrictions on the
19 storage or transportation of a firearm or ammunition in a locked,
20 privately owned or leased motor vehicle by a person, including a
21 student enrolled at that institution, who holds a license to carry a
22 concealed or unconcealed handgun under this subchapter and lawfully
23 possesses the firearm or ammunition:

24 (1) on a street or driveway located on the campus of
25 the institution; or

26 (2) in a parking lot, parking garage, or other parking
27 area located on the campus of the institution.

1 SECTION 30. Subchapter H, Chapter 411, Government Code, is
2 amended by adding Section 411.2051 to read as follows:

3 Sec. 411.2051. CERTAIN INQUIRIES PROHIBITED.
4 Notwithstanding Section 411.205, a peace officer may not inquire
5 as to whether a person possesses a handgun license solely because
6 the person is carrying a handgun.

7 SECTION 31. Section 411.207, Government Code, is amended by
8 adding Subsection (a-1) to read as follows:

9 (a-1) A peace officer may not disarm or detain a person
10 under Subsection (a) solely because the person is carrying a
11 handgun.

12 SECTION 32. Section 12.092(b), Health and Safety Code, is
13 amended to read as follows:

14 (b) The medical advisory board shall assist the Department
15 of Public Safety of the State of Texas in determining whether:

16 (1) an applicant for a driver's license or a license
17 holder is capable of safely operating a motor vehicle; or

18 (2) an applicant for or holder of a license to carry a
19 concealed or unconcealed handgun under the authority of Subchapter
20 H, Chapter 411, Government Code, or an applicant for or holder of a
21 commission as a security officer under Chapter 1702, Occupations
22 Code, is capable of exercising sound judgment with respect to the
23 proper use and storage of a handgun.

24 SECTION 33. Sections 52.061 and 52.062, Labor Code, are
25 amended to read as follows:

26 Sec. 52.061. RESTRICTION ON PROHIBITING EMPLOYEE ACCESS TO
27 OR STORAGE OF FIREARM OR AMMUNITION. A public or private employer

1 may not prohibit an employee who holds a license to carry a
2 concealed or unconcealed handgun under Subchapter H, Chapter 411,
3 Government Code, who otherwise lawfully possesses a firearm, or who
4 lawfully possesses ammunition from transporting or storing a
5 firearm or ammunition the employee is authorized by law to possess
6 in a locked, privately owned motor vehicle in a parking lot, parking
7 garage, or other parking area the employer provides for employees.

8 Sec. 52.062. EXCEPTIONS. (a) Section 52.061 does not:

9 (1) authorize a person who holds a license to carry a
10 concealed or unconcealed handgun under Subchapter H, Chapter 411,
11 Government Code, who otherwise lawfully possesses a firearm, or who
12 lawfully possesses ammunition to possess a firearm or ammunition on
13 any property where the possession of a firearm or ammunition is
14 prohibited by state or federal law; or

15 (2) apply to:

16 (A) a vehicle owned or leased by a public or
17 private employer and used by an employee in the course and scope of
18 the employee's employment, unless the employee is required to
19 transport or store a firearm in the official discharge of the
20 employee's duties;

21 (B) a school district;

22 (C) an open-enrollment charter school, as
23 defined by Section 5.001, Education Code;

24 (D) a private school, as defined by Section
25 22.081, Education Code;

26 (E) property owned or controlled by a person,
27 other than the employer, that is subject to a valid, unexpired oil,

1 gas, or other mineral lease that contains a provision prohibiting
2 the possession of firearms on the property; or

3 (F) property owned or leased by a chemical
4 manufacturer or oil and gas refiner with an air authorization under
5 Chapter 382, Health and Safety Code, and on which the primary
6 business conducted is the manufacture, use, storage, or
7 transportation of hazardous, combustible, or explosive materials,
8 except in regard to an employee who holds a license to carry a
9 concealed or unconcealed handgun under Subchapter H, Chapter 411,
10 Government Code, and who stores a firearm or ammunition the
11 employee is authorized by law to possess in a locked, privately
12 owned motor vehicle in a parking lot, parking garage, or other
13 parking area the employer provides for employees that is outside of
14 a secured and restricted area:

- 15 (i) that contains the physical plant;
16 (ii) that is not open to the public; and
17 (iii) the ingress into which is constantly
18 monitored by security personnel.

19 (b) Section 52.061 does not prohibit an employer from
20 prohibiting an employee who holds a license to carry a concealed or
21 unconcealed handgun under Subchapter H, Chapter 411, Government
22 Code, or who otherwise lawfully possesses a firearm, from
23 possessing a firearm the employee is otherwise authorized by law to
24 possess on the premises of the employer's business. In this
25 subsection, "premises" has the meaning assigned by Section
26 46.035(f)(3), Penal Code.

27 SECTION 34. (a) Section 118.011(b), Local Government Code,

1 as effective until September 1, 2019, is amended to read as follows:

2 (b) The county clerk may set and collect the following fee
3 from any person:

4 (1) Returned Check (Sec. 118.0215) not
5 less than \$15 or more than \$30

6 (2) Records Management and Preservation Fee (Sec.
7 118.0216) not more than
8 \$10

9 (3) Mental Health Background Check for License to
10 Carry a Concealed or Unconcealed Handgun [~~Weapon~~] (Sec. 118.0217)
11 not more than \$2

12 (b) This section takes effect September 1, 2015.

13 SECTION 35. (a) Section 118.011(b), Local Government Code,
14 as effective September 1, 2019, is amended to read as follows:

15 (b) The county clerk may set and collect the following fee
16 from any person:

17 (1) Returned Check (Sec. 118.0215) not
18 less than \$15 or more than \$30

19 (2) Records Management and Preservation Fee (Sec.
20 118.0216) not more
21 than \$5

22 (3) Mental Health Background Check for License to
23 Carry a Concealed or Unconcealed Handgun [~~Weapon~~] (Sec. 118.0217)
24 not more than \$2

25 (b) This section takes effect September 1, 2019.

26 SECTION 36. Section 118.0217(a), Local Government Code, is
27 amended to read as follows:

1 (a) The fee for a "mental health background check for
2 license to carry a concealed or unconcealed handgun [~~weapon~~]" is
3 for a check, conducted by the county clerk at the request of the
4 Texas Department of Public Safety, of the county records involving
5 the mental condition of a person who applies for a license to carry
6 a concealed or unconcealed handgun under Subchapter H, Chapter 411,
7 Government Code. The fee, not to exceed \$2, will be paid from the
8 application fee submitted to the Department of Public Safety
9 according to Section [411.174](#)(a)(6), Government Code.

10 SECTION 37. Section [229.001](#)(b), Local Government Code, is
11 amended to read as follows:

12 (b) Subsection (a) does not affect the authority a
13 municipality has under another law to:

14 (1) require residents or public employees to be armed
15 for personal or national defense, law enforcement, or another
16 lawful purpose;

17 (2) regulate the discharge of firearms or air guns
18 within the limits of the municipality, other than at a sport
19 shooting range;

20 (3) regulate the use of property, the location of a
21 business, or uses at a business under the municipality's fire code,
22 zoning ordinance, or land-use regulations as long as the code,
23 ordinance, or regulations are not used to circumvent the intent of
24 Subsection (a) or Subdivision (5) of this subsection;

25 (4) regulate the use of firearms or air guns in the
26 case of an insurrection, riot, or natural disaster if the
27 municipality finds the regulations necessary to protect public

1 health and safety;

2 (5) regulate the storage or transportation of
3 explosives to protect public health and safety, except that 25
4 pounds or less of black powder for each private residence and 50
5 pounds or less of black powder for each retail dealer are not
6 subject to regulation;

7 (6) regulate the carrying of a firearm or air gun by a
8 person other than a person licensed to carry a concealed or
9 unconcealed handgun under Subchapter H, Chapter 411, Government
10 Code, at a:

11 (A) public park;

12 (B) public meeting of a municipality, county, or
13 other governmental body;

14 (C) political rally, parade, or official
15 political meeting; or

16 (D) nonfirearms-related school, college, or
17 professional athletic event;

18 (7) regulate the hours of operation of a sport
19 shooting range, except that the hours of operation may not be more
20 limited than the least limited hours of operation of any other
21 business in the municipality other than a business permitted or
22 licensed to sell or serve alcoholic beverages for on-premises
23 consumption; or

24 (8) regulate the carrying of an air gun by a minor on:

25 (A) public property; or

26 (B) private property without consent of the
27 property owner.

1 SECTION 38. The heading to Section 1701.260, Occupations
2 Code, is amended to read as follows:

3 Sec. 1701.260. TRAINING FOR HOLDERS OF LICENSE TO CARRY
4 CONCEALED OR UNCONCEALED HANDGUN; CERTIFICATION OF ELIGIBILITY FOR
5 APPOINTMENT AS SCHOOL MARSHAL.

6 SECTION 39. Sections 1701.260(a) and (i), Occupations Code,
7 are amended to read as follows:

8 (a) The commission shall establish and maintain a training
9 program open to any employee of a school district or
10 open-enrollment charter school who holds a license to carry a
11 concealed or unconcealed handgun issued under Subchapter H, Chapter
12 411, Government Code. The training may be conducted only by the
13 commission staff or a provider approved by the commission.

14 (i) The commission shall revoke a person's school marshal
15 license if the commission is notified by the Department of Public
16 Safety that the person's license to carry a concealed or
17 unconcealed handgun issued under Subchapter H, Chapter 411,
18 Government Code, has been suspended or revoked. A person whose
19 school marshal license is revoked may obtain recertification by:

20 (1) furnishing proof to the commission that the
21 person's [~~concealed handgun~~] license to carry a concealed or
22 unconcealed handgun has been reinstated; and

23 (2) completing the initial training under Subsection
24 (c) to the satisfaction of the commission staff, paying the fee for
25 the training, and demonstrating psychological fitness on the
26 psychological examination described in Subsection (d).

27 SECTION 40. Section 1702.206(b), Occupations Code, is

1 amended to read as follows:

2 (b) An individual who is acting as a personal protection
3 officer and is wearing the uniform of a security officer, including
4 any uniform or apparel described by Section 1702.323(d), may not
5 conceal any firearm the individual is carrying and shall carry the
6 firearm in plain view. An individual who is acting as a personal
7 protection officer and is not wearing the uniform of a security
8 officer shall conceal the firearm, regardless of whether the
9 individual is authorized to carry the firearm in an unconcealed
10 manner under any other law.

11 SECTION 41. Sections 62.082(d) and (e), Parks and Wildlife
12 Code, are amended to read as follows:

13 (d) Section 62.081 does not apply to:

- 14 (1) an employee of the Lower Colorado River Authority;
15 (2) a person authorized to hunt under Subsection (c);
16 (3) a peace officer as defined by Article 2.12, Code of
17 Criminal Procedure; or

18 (4) a person who:

19 (A) possesses a ~~[concealed]~~ handgun, regardless
20 of whether the handgun is carried in a concealed or unconcealed
21 manner, and a license issued under Subchapter H, Chapter 411,
22 Government Code, to carry a concealed or unconcealed handgun; or

23 (B) under circumstances in which the person would
24 be justified in the use of deadly force under Chapter 9, Penal Code,
25 shoots a handgun the person is licensed to carry under Subchapter H,
26 Chapter 411, Government Code.

27 (e) A state agency, including the department, the

1 Department of Public Safety, and the Lower Colorado River
2 Authority, may not adopt a rule that prohibits a person who
3 possesses a license issued under Subchapter H, Chapter 411,
4 Government Code, from entering or crossing the land of the Lower
5 Colorado River Authority while:

6 (1) possessing a ~~[concealed]~~ handgun, regardless of
7 whether the handgun is carried in a concealed or unconcealed
8 manner; or

9 (2) under circumstances in which the person would be
10 justified in the use of deadly force under Chapter 9, Penal Code,
11 shooting a handgun.

12 SECTION 42. Section 284.001(e), Parks and Wildlife Code, is
13 amended to read as follows:

14 (e) This section does not limit the ability of a license
15 holder to carry a concealed or unconcealed handgun under the
16 authority of Subchapter H, Chapter 411, Government Code.

17 SECTION 43. Section 30.05(f), Penal Code, is amended to
18 read as follows:

19 (f) It is a defense to prosecution under this section that:

20 (1) the basis on which entry on the property or land or
21 in the building was forbidden is that entry with a handgun was
22 forbidden; and

23 (2) the person was carrying:

24 (A) a ~~[concealed handgun and a]~~ license issued
25 under Subchapter H, Chapter 411, Government Code, to carry a
26 concealed or unconcealed handgun; and

27 (B) a handgun:

- 1 (i) in a concealed manner; or
- 2 (ii) in a holster or with another device
- 3 intended to secure the handgun.

4 SECTION 44. The heading to Section 30.06, Penal Code, is
5 amended to read as follows:

6 Sec. 30.06. TRESPASS BY LICENSE HOLDER WITH A [~~OF LICENSE TO~~
7 ~~CARRY~~] CONCEALED HANDGUN.

8 SECTION 45. Section 30.06(a), Penal Code, is amended to
9 read as follows:

10 (a) A license holder commits an offense if the license
11 holder:

12 (1) carries a concealed handgun under the authority of
13 Subchapter H, Chapter 411, Government Code, on property of another
14 without effective consent; and

15 (2) received notice that:

16 (A) entry on the property by a license holder
17 with a concealed handgun was forbidden; or

18 (B) remaining on the property with a concealed
19 handgun was forbidden and failed to depart.

20 SECTION 46. Section 30.06(c)(3), Penal Code, is amended to
21 read as follows:

22 (3) "Written communication" means:

23 (A) a card or other document on which is written
24 language identical to the following: "Pursuant to Section 30.06,
25 Penal Code (trespass by license holder with [~~of license to carry~~]
26 concealed handgun), a person licensed under Subchapter H, Chapter
27 411, Government Code ([~~concealed~~] handgun licensing law), may not

1 enter this property with a concealed handgun"; or

2 (B) a sign posted on the property that:

3 (i) includes the language described by
4 Paragraph (A) in both English and Spanish;

5 (ii) appears in contrasting colors with
6 block letters at least one inch in height; and

7 (iii) is displayed in a conspicuous manner
8 clearly visible to the public.

9 SECTION 47. Chapter 30, Penal Code, is amended by adding
10 Section 30.07 to read as follows:

11 Sec. 30.07. TRESPASS BY LICENSE HOLDER WITH AN UNCONCEALED
12 HANDGUN. (a) A license holder commits an offense if the license
13 holder:

14 (1) carries a handgun in an unconcealed manner under
15 the authority of Subchapter H, Chapter 411, Government Code, on
16 property of another without effective consent; and

17 (2) received notice that:

18 (A) entry on the property by a license holder
19 openly carrying a handgun was forbidden; or

20 (B) remaining on the property while carrying an
21 unconcealed handgun was forbidden and failed to depart.

22 (b) For purposes of this section, a person receives notice
23 if the owner of the property or someone with apparent authority to
24 act for the owner provides notice to the person by oral or written
25 communication.

26 (c) In this section:

27 (1) "Entry" has the meaning assigned by Section

1 30.05(b).

2 (2) "License holder" has the meaning assigned by
3 Section 46.035(f).

4 (3) "Written communication" means:

5 (A) a card or other document on which is written
6 language identical to the following: "Pursuant to Section 30.07,
7 Penal Code (trespass by license holder with an unconcealed
8 handgun), a person licensed under Subchapter H, Chapter 411,
9 Government Code (handgun licensing law), may not enter this
10 property with a handgun that is carried in an unconcealed manner";
11 or

12 (B) a sign posted on the property that:

13 (i) includes the language described by
14 Paragraph (A) in both English and Spanish;

15 (ii) appears in contrasting colors with
16 block letters at least one inch in height; and

17 (iii) is displayed in a conspicuous manner
18 clearly visible to the public at each entrance to the property.

19 (d) An offense under this section is a Class A misdemeanor.

20 (e) It is an exception to the application of this section
21 that the property on which the license holder carries the
22 unconcealed handgun is owned or leased by a governmental entity and
23 is not a premises or other place on which the license holder is
24 prohibited from carrying the handgun under Section 46.03 or 46.035.

25 (f) It is not a defense to prosecution under this section
26 that the handgun was carried in a holster or with another device
27 intended to secure the handgun.

1 SECTION 48. Section 46.02(a-1), Penal Code, is amended to
2 read as follows:

3 (a-1) A person commits an offense if the person
4 intentionally, knowingly, or recklessly carries on or about his or
5 her person a handgun in a motor vehicle or watercraft that is owned
6 by the person or under the person's control at any time in which:

7 (1) the handgun is in plain view, unless the person is
8 licensed to carry a handgun under Subchapter H, Chapter 411,
9 Government Code, and the handgun is carried on or about the person
10 in an unconcealed manner:

11 (A) in a holster; or

12 (B) with another device intended to secure the
13 handgun; or

14 (2) the person is:

15 (A) engaged in criminal activity, other than a
16 Class C misdemeanor that is a violation of a law or ordinance
17 regulating traffic or boating;

18 (B) prohibited by law from possessing a firearm;
19 or

20 (C) a member of a criminal street gang, as
21 defined by Section 71.01.

22 SECTION 49. Section 46.03(f), Penal Code, is amended to
23 read as follows:

24 (f) It is not a defense to prosecution under this section
25 that the actor possessed a handgun, regardless of whether the
26 handgun was carried in a concealed or unconcealed manner, and was
27 licensed to carry a concealed or unconcealed handgun under

1 Subchapter H, Chapter 411, Government Code.

2 SECTION 50. Sections 46.035(a), (b), (c), (d), and (i),
3 Penal Code, are amended to read as follows:

4 (a) A license holder commits an offense if the license
5 holder carries a handgun on or about the license holder's person
6 under the authority of Subchapter H, Chapter 411, Government Code,
7 and intentionally displays the handgun in plain view of another
8 person in a public place. It is an exception to the application of
9 this subsection that the handgun was partially or wholly visible
10 but was carried by the license holder:

11 (1) in a holster; or

12 (2) with another device intended to secure the
13 handgun.

14 (b) A license holder commits an offense if the license
15 holder intentionally, knowingly, or recklessly carries a handgun
16 under the authority of Subchapter H, Chapter 411, Government Code,
17 regardless of whether the handgun is carried in a concealed or
18 unconcealed manner, on or about the license holder's person:

19 (1) on the premises of a business that has a permit or
20 license issued under Chapter 25, 28, 32, 69, or 74, Alcoholic
21 Beverage Code, if the business derives 51 percent or more of its
22 income from the sale or service of alcoholic beverages for
23 on-premises consumption, as determined by the Texas Alcoholic
24 Beverage Commission under Section 104.06, Alcoholic Beverage Code;

25 (2) on the premises where a high school, collegiate,
26 or professional sporting event or interscholastic event is taking
27 place, unless the license holder is a participant in the event and a

1 handgun is used in the event;

2 (3) on the premises of a correctional facility;

3 (4) on the premises of a hospital licensed under
4 Chapter 241, Health and Safety Code, or on the premises of a nursing
5 home licensed under Chapter 242, Health and Safety Code, unless the
6 license holder has written authorization of the hospital or nursing
7 home administration, as appropriate;

8 (5) in an amusement park; or

9 (6) on the premises of a church, synagogue, or other
10 established place of religious worship.

11 (c) A license holder commits an offense if the license
12 holder intentionally, knowingly, or recklessly carries a handgun
13 under the authority of Subchapter H, Chapter 411, Government Code,
14 regardless of whether the handgun is carried in a concealed or
15 unconcealed manner, at any meeting of a governmental entity.

16 (d) A license holder commits an offense if, while
17 intoxicated, the license holder carries a handgun under the
18 authority of Subchapter H, Chapter 411, Government Code, regardless
19 of whether the handgun is carried in a concealed or unconcealed
20 manner.

21 (i) Subsections (b)(4), (b)(5), (b)(6), and (c) do not apply
22 if the actor was not given effective notice under Section 30.06 or
23 30.07.

24 SECTION 51. Sections 46.15(a) and (b), Penal Code, are
25 amended to read as follows:

26 (a) Sections 46.02 and 46.03 do not apply to:

27 (1) peace officers or special investigators under

1 Article 2.122, Code of Criminal Procedure, and neither section
2 prohibits a peace officer or special investigator from carrying a
3 weapon in this state, including in an establishment in this state
4 serving the public, regardless of whether the peace officer or
5 special investigator is engaged in the actual discharge of the
6 officer's or investigator's duties while carrying the weapon;

7 (2) parole officers and neither section prohibits an
8 officer from carrying a weapon in this state if the officer is:

9 (A) engaged in the actual discharge of the
10 officer's duties while carrying the weapon; and

11 (B) in compliance with policies and procedures
12 adopted by the Texas Department of Criminal Justice regarding the
13 possession of a weapon by an officer while on duty;

14 (3) community supervision and corrections department
15 officers appointed or employed under Section 76.004, Government
16 Code, and neither section prohibits an officer from carrying a
17 weapon in this state if the officer is:

18 (A) engaged in the actual discharge of the
19 officer's duties while carrying the weapon; and

20 (B) authorized to carry a weapon under Section
21 76.0051, Government Code;

22 (4) an active judicial officer as defined by Section
23 411.201, Government Code, who is licensed to carry a concealed or
24 unconcealed handgun under Subchapter H, Chapter 411, Government
25 Code;

26 (5) an honorably retired peace officer, qualified
27 retired law enforcement officer, federal criminal investigator, or

1 former reserve law enforcement officer who holds a certificate of
2 proficiency issued under Section 1701.357, Occupations Code, and is
3 carrying a photo identification that is issued by a federal, state,
4 or local law enforcement agency, as applicable, and that verifies
5 that the officer is:

- 6 (A) an honorably retired peace officer;
- 7 (B) a qualified retired law enforcement officer;
- 8 (C) a federal criminal investigator; or
- 9 (D) a former reserve law enforcement officer who

10 has served in that capacity not less than a total of 15 years with
11 one or more state or local law enforcement agencies;

12 (6) a district attorney, criminal district attorney,
13 county attorney, or municipal attorney who is licensed to carry a
14 concealed or unconcealed handgun under Subchapter H, Chapter 411,
15 Government Code;

16 (7) an assistant district attorney, assistant
17 criminal district attorney, or assistant county attorney who is
18 licensed to carry a concealed or unconcealed handgun under
19 Subchapter H, Chapter 411, Government Code;

20 (8) a bailiff designated by an active judicial officer
21 as defined by Section 411.201, Government Code, who is:

22 (A) licensed to carry a concealed or unconcealed
23 handgun under Subchapter H, Chapter 411, Government Code; and

24 (B) engaged in escorting the judicial officer; or

25 (9) a juvenile probation officer who is authorized to
26 carry a firearm under Section 142.006, Human Resources Code.

27 (b) Section 46.02 does not apply to a person who:

1 (1) is in the actual discharge of official duties as a
2 member of the armed forces or state military forces as defined by
3 Section [437.001](#), Government Code, or as a guard employed by a penal
4 institution;

5 (2) is traveling;

6 (3) is engaging in lawful hunting, fishing, or other
7 sporting activity on the immediate premises where the activity is
8 conducted, or is en route between the premises and the actor's
9 residence, motor vehicle, or watercraft, if the weapon is a type
10 commonly used in the activity;

11 (4) holds a security officer commission issued by the
12 Texas Private Security Board, if the person is engaged in the
13 performance of the person's duties as an officer commissioned under
14 Chapter 1702, Occupations Code, or is traveling to or from the
15 person's place of assignment and is wearing the officer's uniform
16 and carrying the officer's weapon in plain view;

17 (5) acts as a personal protection officer and carries
18 the person's security officer commission and personal protection
19 officer authorization, if the person:

20 (A) is engaged in the performance of the person's
21 duties as a personal protection officer under Chapter 1702,
22 Occupations Code, or is traveling to or from the person's place of
23 assignment; and

24 (B) is either:

25 (i) wearing the uniform of a security
26 officer, including any uniform or apparel described by Section
27 [1702.323\(d\)](#), Occupations Code, and carrying the officer's weapon in

1 plain view; or

2 (ii) not wearing the uniform of a security
3 officer and carrying the officer's weapon in a concealed manner;

4 (6) is carrying:

5 (A) a [~~concealed handgun and a valid~~] license to
6 carry a concealed or unconcealed handgun issued under Subchapter H,
7 Chapter 411, Government Code [~~, to carry a concealed handgun~~]; and

8 (B) a handgun:

9 (i) in a concealed manner; or

10 (ii) in a holster or with another device
11 intended to secure the handgun;

12 (7) holds an alcoholic beverage permit or license or
13 is an employee of a holder of an alcoholic beverage permit or
14 license if the person is supervising the operation of the permitted
15 or licensed premises; or

16 (8) is a student in a law enforcement class engaging in
17 an activity required as part of the class, if the weapon is a type
18 commonly used in the activity and the person is:

19 (A) on the immediate premises where the activity
20 is conducted; or

21 (B) en route between those premises and the
22 person's residence and is carrying the weapon unloaded.

23 SECTION 52. The change in law made by this Act relating to
24 the authority of a license holder to carry an unconcealed handgun
25 applies to the carrying of a handgun on or after the effective date
26 of this Act by any person who:

27 (1) holds a license issued under Subchapter H, Chapter

1 411, Government Code, regardless of whether the person's license
2 was issued before, on, or after the effective date of this Act; or

3 (2) applies for the issuance of a license under that
4 subchapter, regardless of whether the person applied for the
5 license before, on, or after the effective date of this Act.

6 SECTION 53. The changes in law made by this Act to Sections
7 62.082 and 284.001, Parks and Wildlife Code, and to Sections 30.05,
8 30.06, 46.02, 46.03, 46.035, and 46.15, Penal Code, apply only to an
9 offense committed on or after the effective date of this Act. An
10 offense committed before the effective date of this Act is governed
11 by the law in effect on the date the offense was committed, and the
12 former law is continued in effect for that purpose. For purposes of
13 this section, an offense was committed before the effective date of
14 this Act if any element of the offense occurred before that date.

15 SECTION 54. Except as otherwise provided by this Act, this
16 Act takes effect September 1, 2015.